

DAVID GARCIA, Esq., SBN 218356
 TAFOYA & GARCIA LLP
 316 W. 2nd St., Suite 1000
 Los Angeles, CA 90012
 Tel: 213.617.0600
 Fax: 213.617.2226
 robert@tafoyagarcia.com
 david@tafoyagarcia.com

Attorneys for Plaintiffs
 CARLOS ALVA, ET AL.

MORGAN, LEWIS & BOCKIUS LLP
 ERIC MECKLEY, SBN 168181
 JENNIFER SVANFELDT, SBN 233248
 KATHERINE DICK, SBN 273688
 One Market, Spear Street Tower
 San Francisco, CA 94105-1126
 Tel: 415.442.1000
 Fax: 415.442.1001
 emeckley@morganlewis.com
 jsvanfeldt@morganlewis.com

Attorneys for Defendant
 LUMBER LIQUIDATORS

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CRELENCIO CHAVEZ and JOSE
 ZALDIVAR, an individual and on behalf
 of all others similarly situated,

Plaintiffs,

vs.

LUMBER LIQUIDATORS, INC. a
 Delaware Corporation; and DOES 1
 through 20, inclusive,

Defendants.

Case No. C-09-04812 SC

STIPULATION AND ~~[PROPOSED]~~ ORDER
 REGARDING ORDER TO MEET AND
 CONFER AND SUBMIT JOINT DISCOVERY
 LETTER [DKT. NO. 139]

CARLOS ALVA, ET AL.

Plaintiff(s),

vs.

LUMBER LIQUIDATORS, INC.

Defendant(s).

No. C-12-4383 SC

STIPULATION AND [PROPOSED] ORDER
 REGARDING ORDER TO MEET AND
 CONFER AND SUBMIT JOINT DISCOVERY
 LETTER [DKT. NO. 139]

Pursuant to the Court's Order to Meet and Confer And Submit Joint Discovery Letter (Dkt. No. 139), Plaintiffs Crelencio Chavez, Carlos Alva, Andrew Owens, Joel Villasenor, and Jason McMillan ("Plaintiffs") and Defendant (collectively, the "Parties"), by and through their respective counsel of record, hereby timely respond to the Court's Order and submit the following stipulation regarding discovery in the above-captioned matters:

WHEREAS, on July 8 and July 11, 2014, the Parties met and conferred by telephone in compliance with the Court's Order and agreed to the following actions, which will occur on the following deadlines:

July 18, 2014: Plaintiffs will subpoena their bank records and debit and credit card statements for the respective time period(s) during which they were employed with Defendant and will serve Defendant with the records, marked confidential subject to a meet and confer between the Parties, immediately upon receipt.

July 18, 2014: Plaintiff Owens will provide Defendant with several possible non-weekend, non-holiday dates before August 18 on which he is available for deposition.

July 21, 2014: Each Plaintiff will provide Defendant with a signed Authorization for Release of Cell Phone Records to effectuate the release of telephone records. Any cell phone records produced in discovery will be marked confidential subject to a meet and confer between the Parties.

July 24, 2014: Each Plaintiff will serve substantive responses to Defendant's Request for Production of Documents and Interrogatories that comply with the Northern District's Civil Local Rules.

July 25, 2014: Each Plaintiff will produce any and all documents that are responsive to the Request for Production of Documents (except to the extent the Parties have reached a different agreement regarding the timing of production for cell phone records, bank records and credit and debit card statements, *see supra*);

August 4, 2014: Plaintiff McMillan will appear for deposition at the law office of Morgan Lewis in Los Angeles;

August 18, 2014: Plaintiffs Villasenor and Alva Plaintiffs will appear for a second day of

1 deposition, if Defendant determines in good faith that a second day of deposition is necessary
2 after reviewing and analyzing their respective production of responsive documents.

3 WHEREAS, on August 4, 2014, the Parties shall file a status report regarding Plaintiffs'
4 compliance with the foregoing stipulations.

5 **IT IS SO STIPULATED.**

6 Dated: July 14, 2014

MORGAN, LEWIS & BOCKIUS LLP

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8 By /S/ Eric Meckley

Eric Meckley
Jennifer Svanfeldt

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10 ATTORNEYS FOR DEFENDANT
LUMBER LIQUIDATORS, INC.

11 Dated: July 14, 2014

TAFOYA & GARCIA LLP

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13 By /S/ David A. Garcia

David A. Garcia

14 Attorneys for Plaintiffs
15 CRELENCIO CHAVEZ, CARLOS ALVA,
16 JOEL VILLASENOR, ANDREW OWENS AND
JASON MCMILLAN

17 **FILER'S ATTESTATION**

18 I, Eric Meckley, am the ECF user whose identification and password are being used to file
19 the parties' Notice of Settlement. In compliance with L.R. 5-1(i)(3), I hereby attest that David A.
20 Garcia concurs in this filing.

21 /s/ Eric Meckley

22 Eric Meckley
23 Attorneys for Defendant
LUMBER LIQUIDATORS, INC.

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25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: July 15, 2014


27 THE HONORABLE DONNA M. RYU
28 UNITED STATES MAGISTRATE JUDGE